

REMARKS

This amendment responds to the Office Action dated March 4, 2008, in which the Examiner rejected claims 1-3 on the ground of non-statutory obviousness-type double patenting and under 35 U.S.C. § 103.

Applicants respectfully request the Examiner consider the Information Disclosure Statement filed May 14, 2008.

As indicated above, claims 1-3 have been amended in order to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability.

Applicants respectfully submit that the claims as amended above are patentably distinct from claims 1, 11, 14, 19, 22 and 23 of U.S. Patent No. 6,720,987. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1-3 on the grounds of non-statutory obviousness-type double patenting.

Claims 1-3 claim a controller for a photographing apparatus having a photographing portion with driving means that allows the photographing direction of the photographing means to be varied. The controller comprises a spherical surface in which the photographing means is disposed for photographing pictures. A displaying means or operation area displays a panoramic picture generated by mapping a plurality of pictures on to a virtual spherical surface representing the spherical surface. Claim 1 additionally claims a controlling means while claims 2 and 3 claim a picture selecting means.

By disposing the photographing means in a spherical surface and mapping a plurality of pictures onto a virtual spherical surface representing a spherical surface as claimed in claims 1-3, the claimed invention provides a controller which prevents adjacent pictures of the panoramic

picture from overlapping and distorting. The prior art does not show, teach or suggest the invention as claimed in claims 1-3.

Claims 1-3 were rejected under 35 U.S.C. § 103 as being unpatentable over *Yamaashi, et al.* (U.S. Patent No. 6,337,709).

Yamaashi, et al. appears to disclose a camera 101 and universal head 102 of a motorized camera are disposed at a place which is remote from a control room where operators work (Col. 3, lines 9-12). Display part 105 displays the whole image, from data received from the whole image memory section 107 and the camera image taken by sampling section 104 on display screen 110, and display area 108 represents the viewing area of camera 101 (Col. 3, lines 40-45).

Thus, *Yamaashi, et al.* only discloses a camera 102, a display screen 110 and a display part 105. Nothing in *Yamaashi, et al.* shows, teaches or suggests (a) a spherical surface in which a photographing means is disposed for photographing pictures, and (b) displaying a panoramic picture generated by mapping a plurality of pictures onto a virtual spherical surface representing the spherical surface as claimed in claims 1-3. Rather, *Yamaashi, et al.* merely discloses a camera 101, a universal head 102, a display part 105 and a display screen 110.

Since nothing in *Yamaashi, et al.* shows, teaches or suggests (a) a spherical surface in which a photographing means is disposed for photographing pictures and (b) displaying a panoramic picture generated by mapping a plurality of pictures onto a virtual spherical surface representing the spherical surface as claimed in claims 1-3, Applicants respectfully request the Examiner withdraws the rejection to claims 1-3 under 35 U.S.C. § 103.

Claims 1-3 were rejected under 35 U.S.C. § 103 as being unpatentable over *Yano, et al.* (6,031,941) in view of *Hogan, et al.* (U.S. Patent No. 5,657,246).

Yano, et al. appears to disclose in FIG. 1 a camera 2 is connected to a computer 1 that performs graphic processing, CAD processing, or the like. A user inputs an image by scanning the camera 2 around an object 3 to be measured (Col. 3, lines 38-41). The three-dimensional shape is input by starting an input program on the computer 1. When the user starts the image input program by inputting a command from the input device, a window 32 corresponding to the finder of the camera is generated on the display device 12 of the computer 1. When the user turns on the switch of the camera 2, an image sensed by the camera 2 is directly displayed within the window (Col. 3, lines 6 – Col. 4, line 4).

Thus, *Yano, et al.* merely discloses a camera 2 and a window 32. Nothing in *Yano, et al.* shows, teaches or suggests (a) a spherical surface in which a photographing means is disposed for photographing pictures, and (b) displaying a panoramic picture generated by mapping a plurality of pictures onto a virtual spherical surface representing the spherical surface as claimed in claims 1-3. Rather, *Yano, et al.* only discloses a camera 2 and a display window 32.

Hogan, et al. appears to disclose a video conference platform 12 including a camera 24 for generating video images. Preferably, camera 24 is a camera that allows for automatic pan, tilt and zoom. Also, included as part of the platform 12 is a microphone 26 for generating audio information, a display 28 for displaying video information and a speaker 30 for broadcasting audio information (Col. 3, lines 56 – 62).

Thus, *Hogan, et al.* merely discloses a camera 24 and a display 28. Nothing in *Hogan, et al.* shows, teaches or suggests (a) a spherical surface in which the photographing means is disposed for photographing pictures, and (b) displaying a panoramic picture generated by mapping a plurality of pictures onto a virtual spherical surface representing the spherical surface as claimed in claims 1-3. Rather, *Hogan, et al.* merely discloses a camera and a display.

A combination of *Yano, et al.* and *Hogan, et al.* would merely suggest to use the apparatus of *Yano, et al.* for videoconferencing as taught by *Hogan, et al.* Thus, nothing in the combination of the references shows, teaches or suggests (a) a spherical surface in which a photographing means is disposed, and (b) displaying a panoramic picture generated by mapping a plurality of pictures onto a virtual spherical surface representing the spherical surface as claimed in claims 1-3. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 1-3 under 35 U.S.C. § 103.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus, it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 05-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

Date: July 21, 2008

By: 

Ellen Marcie Enas
Reg. No. 32,131
Tel. (212) 588-0800